

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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D. G. SWEIGERT

Plaintiff,

-against-

JASON GOODMAN
Defendant.

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Case 1: 23-cv-5875-JGK

**AFFIDAVIT OF
JASON GOODMAN IN
SUPPORT OF
MOTION TO RECUSE
MAGISTRATE JUDGE
VALERIE
FIGUEREDO**

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I, Jason Goodman, being duly sworn, depose and state as follows under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am the Defendant in the above-captioned matter, proceeding pro se.
2. I submit this affidavit in support of my motion to recuse Magistrate Judge Valerie Figueredo from presiding over this case, pursuant to 28 U.S.C. § 144 and 28 U.S.C. § 455.
3. Magistrate Judge Figueredo has demonstrated personal bias and prejudice against me in a manner that has deprived me of due process and impartial judicial proceedings.
4. Specifically, during the December 18, 2024, hearing, Magistrate Judge Figueredo permitted Plaintiff David Sweigert to disrupt proceedings, interrupt my statements, and respond to questions directed to the Court. She failed to take corrective action or maintain order, resulting in a fundamentally unfair hearing.
5. Additionally, the Magistrate has displayed favoritism by allowing Plaintiff to dictate the pace and conduct of hearings, including permitting him to make unsupported claims of financial hardship that resulted in unwarranted scheduling delays, while simultaneously dismissing my urgent requests for equitable relief.

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6. On multiple occasions, Magistrate Judge Figueredo has failed to rule on properly filed motions, including my motion for equitable relief (Dkt. 177), despite its explicit scheduling for discussion at the December 18, 2024, hearing. Her refusal to address my motion effectively denies me access to fair proceedings.
7. Magistrate Judge Figueredo's conduct creates an undeniable appearance of bias in favor of the Plaintiff and against me. Under well-established legal standards, even the appearance of bias necessitates recusal to preserve judicial integrity.
8. I affirm that my concerns regarding the Magistrate's bias are made in good faith and not for the purpose of delay or harassment. I sincerely believe that I cannot receive a fair and impartial adjudication while Magistrate Judge Figueredo presides over this case.
9. Accordingly, I respectfully request that this Court assign a different judge to this matter to ensure fairness, impartiality, and adherence to due process principles.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

CERTIFICATE OF GOOD FAITH

As a pro se litigant and my own counsel of record, pursuant to 28 U.S.C. § 144, I certify that this affidavit is made in good faith and not intended to introduce delay or any improper purpose.

Dated: New York, New York February 9, 2025

Respectfully submitted,



Jason Goodman
Pro Se Defendant
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MAGISTRATE JUDGE VALERIE FIGUEREDO